

OhioEPA

US EPA RECORDS CENTER REGION 5



491598

Re: OEPA Permit No. 31S00007*CD

September 30, 1985

General Motors Corporation
Fisher Guide Division
P.O. Box 760
Elyria, OH 44036

Transmitted herewith is one copy of the final National Pollutant Discharge Elimination System permit referenced above.

You are hereby notified that this action of the Director is final and may be appealed to the Environmental Board of Review pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Board of Review within thirty (30) days after notice of the Director's action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency and the Environmental Law Division of the Office of the Attorney General within three (3) days of filing with the Board. An appeal may be filed with the Environmental Board of Review at the following address:

Environmental Board of Review
250 East Town Street
Room 101
Columbus, Ohio 43215

Sandra J. Kemper, Manager
Permits and Compliance Section

SJK/jtr

Certified Mail

Page 1 of 20

OEPA Permit No. 3IS00001*CD

Application No. OH0000272

Effective Date: September 30, 1985

Expiration Date: September 27, 1990

OHIO ENVIRONMENTAL PROTECTION AGENCY

AUTHORIZATION TO DISCHARGE UNDER THE

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq. hereinafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111),

General Motors Corporation
Fisher Guide Division

is authorized by the Ohio Environmental Protection Agency, hereafter referred to as "Ohio EPA", to discharge from the wastewater treatment works located

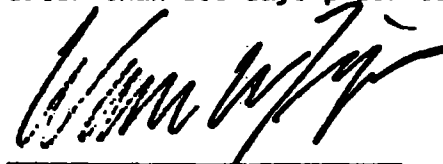
at 1400 Lowell Street, Elyria, Ohio

and discharging to Black River

in accordance with the conditions specified in Parts I, II and III of this permit.

This permit is conditioned upon payment of applicable fees as required by Section 3745.11 of the Ohio Revised Code.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA no later than 180 days prior to the above date of expiration.



Warren W. Tyler
Director
Form EPA 4428

PART I, A - INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until February 29, 1988, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3IS00001001. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
<u>REPORTING</u> <u>Code</u>	<u>UNITS</u>	<u>PARAMETER</u>	<u>Concentration</u>		<u>Loading</u>		<u>Meas.</u> <u>Freq.</u>	<u>Sample</u> <u>Type</u>
			<u>Other Units</u> <u>30 day</u>	<u>(Specify)</u> <u>Daily</u>	<u>kg/day</u> <u>30 day</u>	<u>Daily</u>		
50050 MGD	Flow		-	-	-	-	Daily	24 Hour Total
01042 ug/l	Total Copper		500	1000	-	-	2/week	24 Hour Composite
01067 ug/l	Total Nickel		500	1000	-	-	2/week	24 Hour Composite
01034 ug/l	Total Chromium		500	1000	-	-	2/week	24 Hour Composite
01032 ug/l	Hexavalent Chromium		50	100	-	-	2/week	24 Hour Composite
00722 mg/l	Free Cyanide		0.050	0.100	-	-	2/week	24 Hour Composite

2. The pH (Reporting Codes 00401 (high), 00402 (low)) shall not be less than 6.5 S.U. nor greater than 9.0 S.U. and shall be monitored continuously.
3. Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
4. See PART II, OTHER REQUIREMENTS.

PART I, A - INTERIM EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until February 29, 1988, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3IS00001601. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
REPORTING Code	UNITS	PARAMETER	Concentration		Loading		Meas. Freq.	Sample Type
			Other Units 30 day	(Specify) Daily	kg/day 30 day	Daily		
50050	MGD	Flow	-	-	-	-	Daily	24 Hour Total
01042	ug/l	Total Copper	500	1000	-	-	2/week	24 Hour Composite
01067	ug/l	Total Nickel	500	1000	-	-	2/week	24 Hour Composite
01034	ug/l	Total Chromium	500	1000	-	-	2/week	24 Hour Composite
01032	ug/l	Hexavalent Chromium	50	100	-	-	2/week	24 Hour Composite
00722	mg/l	Free Cyanide	0.050	0.100	-	-	2/week	24 Hour Composite
00530	mg/l	Total Suspended Solids	20	40	-	-	2/week	24 Hour Composite

2. Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
3. See PART II, OTHER REQUIREMENTS.

PART I, A - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning on March 1, 1988 and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall:
3IS00001001. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
REPORTING Code	UNITS	PARAMETER	Concentration		Loading		Meas. Freq.	Sample Type
			Other Units	(Specify)	kg/day			
			30 day	Daily	30 day	Daily		
50050	MGD	Flow	-	-	-	-	Daily	24 Hour Total
-	00530	mg/l Total Suspended Solids	-	-	-	-	2/Week	24 Hour Composite
	00550	mg/l Oil & Grease	-	-	-	-	2/Week	Grab
	00665	mg/l Total Phosphorus	-	-	-	-	1/Month	Grab

- The pH (Reporting Codes 00401 (maximum) and 00402 (minimum)) shall not be less than 6.5 S.U. nor greater than 9.0 S.U. and shall be monitored continuously.
- Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
- See PART II, OTHER REQUIREMENTS.

PART I, A - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3IS00001002. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
			Concentration		Loading		Meas.	Sample
			Other Units(Specify)		kg/day			
REPORTING	UNITS	PARAMETER	30 day	Daily	30 day	Daily	Freq.	Type

This discharge are limited to storm water runoff free from process waste and other contaminants.

2. Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
3. See PART II, OTHER REQUIREMENTS.

PART I, A - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning on the effective date of this permit and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall: 3IS00001003. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>		<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
		Concentration		Loading			
REPORTING		Other Units(Specify)		kg/day		Meas.	Sample
Code	UNITS PARAMETER	30 day	Daily	30 day	Daily	Freq.	Type

This discharge are limited to storm water runoff free from process waste and other contaminants.

2. Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
3. See PART II, OTHER REQUIREMENTS.

PART I, A - FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

- During the period beginning on March 1, 1988 and lasting until the expiration date, the permittee is authorized to discharge in accordance with the following limitations and monitoring requirements from the following outfall:
3IS00001601. SEE PART II, OTHER REQUIREMENTS, for location of effluent sampling.

<u>EFFLUENT CHARACTERISTIC</u>			<u>DISCHARGE LIMITATIONS</u>				<u>MONITORING REQUIREMENTS</u>	
REPORTING Code	UNITS	PARAMETER	Concentration		Loading		Meas. Freq.	Sample Type
			Other Units (Specify)		kg/day			
			30 day	Daily	30 day	Daily		
50050 MGD		Flow	-	-	-	-	Daily	24 Hour Total
00530 mg/l		Total Suspended Solids	20	40	-	-	2/Week	24 Hour Composite
00550 mg/l		Oil & Grease	-	-	38.4	53.9	2/Week	Grab
01027 ug/l		Cadmium, Total Recoverable	-	-	0.007	0.019	2/Week	24 Hour Composite
01032 ug/l		Hexavalent Chromium, Total Recoverable	-	-	0.054	0.086	2/Week	24 Hour Composite
01033 ug/l		Trivalent Chromium, Total Recoverable	-	-	0.34	0.54	2/Week	24 Hour Composite
01042 ug/l		Copper, Total Recoverable	-	-	0.055	0.088	2/Week	24 Hour Composite
01051 ug/l		Total Lead	-	-	0.16	0.26	2/Week	24 Hour Composite
71900 ug/l		Mercury, Total Recoverable	-	-	0.001	0.002	2/Week	24 Hour Composite
01067 ug/l		Nickel, Total Recoverable	-	-	1.36	2.31	2/Week	24 Hour Composite
01092 ug/l		Total Zinc	-	-	0.83	1.49	2/Week	24 Hour Composite
00722 mg/l		Free Cyanide	-	-	0.044	0.092	2/Week	24 Hour Composite
82090 ug/l		Total Toxic Organics (TTO)	-	-	-	3.14*	See Part II, E.	

*This is a guideline-based limitation and is not an authorization discharge toxic organic compounds at levels which cause or may cause water quality violations. The discharge of organic compounds at levels which cause or may cause water quality violations is prohibited.

- Samples taken in compliance with monitoring requirements specified above shall be taken at Sampling Stations described in Part II, OTHER REQUIREMENTS.
- See PART II, OTHER REQUIREMENTS.

PART I, C. - SCHEDULE OF COMPLIANCE

1. This entity shall attain compliance with the final effluent limitations for Outfalls 3IS00001001 and 3IS00001601 as expeditiously as practicable. In any event, this entity shall attain compliance not later than the dates developed in accordance with the following schedule:
 - a. Submit Permit to Install application and Plans for sewer modifications and segregation of storm water to Ohio EPA, Northeast District Office by April 1, 1986.
 - b. Initiate construction by August 1, 1986.
 - c. Submit progress report to the Ohio EPA, Northeast District Office by January 1, 1987.
 - d. Submit progress report to the Ohio EPA, Northeast District Office by July 1, 1987.
 - e. Complete construction by January 1, 1988.
 - f. Attain final compliance by March 1, 1988.

PART II, OTHER REQUIREMENTS

- A. Description of the location of the required sampling stations are as follows:

<u>Sampling Station</u>	<u>Description of Location</u>
3IS00001001	Final effluent to the City of Elyria storm sewer system
3IS00001601	Effluent from the process treatment facilities
3IS00001002	15 inch storm sewer at discharge from plant property
3IS00001003	24 inch storm sewer at discharge from plant property

- B. Permit limitations may be revised in order to meet water quality standards after a stream use determination and waste load allocation are completed and approved. This permit may be modified, or, alternatively, revoked and reissued, to comply with any applicable water quality effluent limitations.
- C. In the event the permittee's operation shall require the use of cooling water treatment additives, written permission must be obtained from the Ohio Environmental Protection Agency. The permittee shall demonstrate that the use of the additive in the concentrations expected will not be harmful or inimical to aquatic life as determined by acute static bioassays.
- D. In addition to the reporting required by the paragraph entitled "REPORTING" in Part III, General Conditions, monitoring results obtained during each month shall be summarized and reported on a Discharge Monitoring Report Form (EPA No. 3320-1 or T-40 as appropriate), to be received no later than the 15th of the next month. The original copy of the report form shall be signed and mailed to:

Ohio Environmental Protection Agency
Technical Records Section
Post Office Box 1049
Columbus, Ohio 43226-0558

PART II, OTHER REQUIREMENTS(cont'd)

E. TOTAL TOXIC ORGANIC (TTO) PROVISIONS

1. Wastestream Characterization

For one year beginning on the effective date of this permit, the permittee shall complete a quarterly monitoring program (four sampling events) of the treatment plant effluent for the purpose of further characterizing the discharge of organic pollutants.

At least two grab samples for volatile pollutants and either an 8-hour or a 24-hour composite sample for acid, base/neutral, and pesticide pollutants shall be obtained on each monitoring day. Wastewater samples shall be prepared and analyzed by GC-MS in accordance with U.S. EPA promulgated methods 624 and 625 (October 1984). In addition to the quantitative analysis for Total Toxic Organics, a reasonable attempt shall be made to identify and quantify any additional substances indicated to be present in the extracts by peaks on the reconstructed gas chromatograms (total ion plots) more than 10 times higher than the adjacent peak-to-peak background noise.

Identification shall be by reference to the EPA/NIH computerized library of mass spectra, with visual confirmation by an experienced analyst. Quantification may be an order-of-magnitude estimate based upon comparison with an internal standard. GC-MS analysis results are to be reported to the appropriate district office within sixty days of sampling. Along with the GC-MS results, the total amount of Total Toxic Organics (TTO) detected in the discharge is to be reported in the units of micrograms per liter (ug/l). Total Toxic Organics (TTO) is defined as the accumulation of organic pollutants below that are detected in the discharge at a level greater than 10 ug/l.

Acenaphthene	Naphthalene
Acrolein	Nitrobenzene
Acrylonitrile	2-nitrophenol
Benzene	4-nitrophenol
Benzidine	2,4-dinitrophenol
Carbon tetrachloride(tetrachloromethane)	4,6-dinitro-o-cresol
Chlorobenzene	N-nitrosodimethylamine
1,2,4-trichlorobenzene	N-nitrosodiphenylamine
Hexachlorobenzene	Phenanthrene
1,2-dichloroethane	1,2,5,6-dibenzanthracene
1,1,1-trichloroethane	(dibenzo(a,h) anthracene
Hexachloroethane	2,3-o-phenylene pyrene
1,1-dichloroethane	(Indeno (1,2,3-cd) pyrene)
1,1,2-trichloroethane	Pyrene
1,1,2,2-tetrachloroethane	Tetrachloroethylene
Chloroethane	Toluene
Bis (2-chlorethyl) ether	Trichloroethylene
2-chloroethyl vinyl ether (mixed)	Vinyl Chloride(chloroethylene)
N-nitrosodi-n-propylamine	Aldrin
Pentachlorophenol	Dieldrin
Phenol	Chlordane (technical mixture
Bis (2-ethylhexyl) phthalate	and metabolites)
Butyl benzyl phthalate	4,4-DDT
Di-n-butyl phthalate	4,4-DDE (p,p-DDX)

PART II, OTHER REQUIREMENTS(cont'd)

E. Continued

Di-n-octyl phthalate	4,4-DDD (p,p-TDE)
Diethyl phthalate	Alpha-endosulfan
Dimethyl phthalate	Beta-endosulfan
1,2-benzanthracene (benzo(a)anthracene)	Endosulfan sulfate
(Benzo(a)pyrene)	Endrin
3,4-benzopyrene	Endrin aldehyde
3,4-Benzofluoranthene (benzo(b)fluoranthene)	Heptachlor
11,12-benzofluoranthene (benzo(k)fluoranthene)	Heptachlor epoxide
Chrysene	(BHC-hexachlorocyclohexane)
Acenaphthylene	Alpha-BHC
Anthracene	Beta-BHC
1,12-benzoperylene (benzo(ghi)perylene)	Gamma-BHC
Fluorene	Delta-BHC
2-chloronaphthalene	(PCB-polychlorinated biphenyls)
2,4,6-trichlorophenol	PCB-1242 (Arochlor 1242)
Parachlorometa cresol	PCB-1254 (Arochlor 1254)
Chloroform (trichloromethane)	PCB-1221 (Arochlor 1221)
2-chlorophenol	PCB-1232 (Arochlor 1232)
1,2-dichlorobenzene	PCB-1248 (Arochlor 1248)
1,3-dichlorobenzene	PCB-1260 (Arochlor 1260)
1,4-dichlorobenzene	PCB-1016 (Arochlor 1016)
3,3-dichlorobenzidine	Toxaphene
1,1-dichloroethylene	2,3,7,8-tetrachlorodibenzo-
1,2-trans-dichloroethylene	p-dioxin (TCDD)
2,4-dichlorophenol	
1,2-dichloropropane	
1,3-dichloropropene	
2,4-dimethylphenol	
2,4-dinitrotoluene	
2,6-dinitrotoluene	
1,2-diphenylhydrazine	
Ethylbenzene	
Fluoranthene	
4-chlorophenyl phenyl ether	
4-bromophenyl phenyl ether	
Bis (2-chloroisopropyl) ether	
Bis (2-chloroethoxy) methane	
Methylene chloride (dichloromethane)	
Methyl chloride (chloromethane)	
Methyl bromide (bromomethane)	
Bromoform (tribromomethane)	
Dichlorobromomethane	
Chlorodibromomethane	
Hexachlorobutadiene	
Hexachlorocyclopentadiene	
Isophorone	

After review of the results of the organic pollutant monitoring program, the Ohio EPA may propose effluent limitations for specific organic pollutants, or propose to continue or modify the compliance monitoring program set forth below, as appropriate.

PART II, OTHER REQUIREMENTS(cont'd)

E. Continued

2. Compliance Monitoring

Upon completion of the waste stream characterization monitoring program described in the preceding paragraph, the permittee may elect to continue monitoring in accordance with the provision of paragraph 2.a below, or in lieu thereof adopt and implement a solvent management plan and submit monthly certifications in accordance with paragraph 2.b. hereof.

a. Continued Monitoring Option

If the permittee elects to continue monitoring for TTOs it shall semiannually sample, analyze for, and report on, TTO concentrations in accordance with the provisions of section II.F.1. of this permit, except that the permittee shall be required to analyze only for those substances included within the definition of Total Toxic Organics which, based upon the prior wastestream characterization monitoring and other information available to the permittee are reasonably likely to be present in the wastestream, at concentrations sufficient to meet the definition of that term set out in paragraph 1 hereof.

b. Certification Option

If the permittee elects to certify compliance rather than continue monitoring, the permittee shall:

(i) Submit to the Ohio EPA a toxic organic pollutant management plan within 90 days after completion of the waste stream characterization monitoring program described in paragraph 1 above. The plan shall specify the toxic organic chemicals used, the method of disposal used instead of dumping, such as reclamation, contract hauling, or incineration; and procedures for ensuring that toxic organic pollutants do not spill or routinely leak into processed waste waters, non-contact cooling water, groundwater, stormwater or other surface waters. Upon review and approval of the plan the Ohio EPA will modify this permit to include the plan as a provision of the permit.

(ii) Except as provided in subparagraph (iii) below, make the following certification statement each month: "Based on my inquiry of the person or persons directly responsible for managing compliance with the permit limitations, I certify that, to the best of my knowledge and belief, no dumping of concentrated toxic organics into the wastewaters has occurred since filing of the last monthly report form." This statement is to be attached to the monthly form required by 40 CFR 122.44(i); formerly 40 CRF 122.61(i)

(iii) If the permittee is unable to make the above certification statement the permittee shall notify the Ohio EPA in accordance with part III, no. 12 of this permit.

PART II, OTHER REQUIREMENTS(cont'd)

- F. On Outfalls where pH is monitored continuously, the permittee shall maintain the pH of such wastewater within the range specified in this permit. Excursions from the range are permitted subject to the following limitations:
1. The total time during which pH values are outside the required range of pH values shall not exceed 7 hours and 26 minutes in any calendar month; and
 2. No individual excursion from the range of pH values shall exceed 60 minutes.
 3. The permittee shall have the burden of reporting the duration of the individual excursions.

PART III - GENERAL CONDITIONS**1. DEFINITIONS**

- A. 1. The "daily load limitations" is the total discharge by weight during any calendar day. If only one sample is taken during a day, the weight of pollutant discharge calculated from it is the daily load.
2. The "daily concentration limitation" means the arithmetic average of all the determinations of concentration made during the day. If only one sample is taken during the day its concentration is the daily concentration. Coliform bacteria limitations compliance shall be determined using the geometric mean.
3. The "7-day load limitation" is the total discharge by weight during any 7-day period divided by the number of days in that 7-day period that the facility was in operation. If only one sample is taken in a 7-day period the weight of pollutant discharge calculated from it is the 7-day load. If more than one sample is taken during the 7-day period the 7-day load is calculated by determining the daily load for each day sampled, totaling the daily loads for the 7-day period and dividing by the number of days sampled.
4. The "7-day concentration limitation" means the arithmetic average of all the determinations of daily concentration limitation made during the 7-day period. If only one sample is taken during the 7-day period, its concentration is the 7-day concentration limitation for that 7-day period. Coliform bacteria limitations compliance shall be determined using the geometric mean.
5. The "30-day load limitation" is the total discharge by weight during any 30-day period divided by the number of days in the 30-day period that the facility was in operation. If only one sample is taken in a 30-day period the weight of pollutant discharge calculated from it is the 30-day load. If more than one sample is taken during one 30-day period the 30-day load is calculated by determining the daily load for each day sampled, totaling the daily loads for the 30-day period and dividing by the number of days sampled.
6. The "30-day concentration limitation" means the arithmetic average (weighted by flow) of all the determinations of daily concentration made during the 30-day period. If only one sample is taken during the 30-day period, its concentration is the 30-day concentration for that 30-day period. Coliform bacteria limitations compliance shall be determined using the geometric mean.
- B. "85 percent removal limitations" means the arithmetic mean of the values for effluent samples collected in a period of 30 consecutive days shall not exceed 15 percent of the arithmetic mean of the values for influent samples collected at approximately the same times during the same period.
- C. 1. Absolute limitations. Compliance with limitations having descriptions of "shall not be less than", "not greater than", "shall not exceed", "minimum", or "maximum", shall be determined from any single value for effluent samples and/or measurements collected.
2. "Net concentration" shall mean the difference between the concentration of a given substance in a sample taken of the discharge and the concentration of the same substances in a sample taken at the intake which supplies water to the given process. For the purpose of this definition samples that are taken to determine the net concentration shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.
3. "Net load" shall mean the difference between the load of a given substance as calculated from a sample taken of the discharge and the load of the same substance in a sample taken at the intake which supplies water to given process. For purposes of this definition samples that are taken to determine the net loading shall always be 24-hour composite samples made up of at least six increments taken at regular intervals throughout the plant day.
- D. 1. When Quarterly sampling frequency is specified, the sampling shall be done in the months of March, June, August and December.
2. When a Yearly sampling frequency is specified, the sampling shall be done in the month of September.
3. When semi-annual sampling frequency is specified, the sampling shall be done during the months of June and December.
4. Winter shall be considered to be the period from November 1 thru April 30.

5. Summer shall be considered to be the period from May 1 thru October 31.
- E. 1. "MGD" means million gallons per day
2. "mg/l" means milligrams per liter
3. "µg/l" means micrograms per liter
- F. "Reporting Code" is a five digit number used by the Ohio EPA in processing reported data. The reporting code does not imply the type of analysis used, nor the sampling techniques employed.
- G. "Bypass" means the intentional diversion of wastes from any portion of a treatment facility.
- H. "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which would cause them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- I. "Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

2. GENERAL EFFLUENT LIMITATIONS

The effluent shall, at all times, be free of substances:

- A. In amounts that will settle to form putrescent, or otherwise objectionable, sludge deposits; or that will adversely affect aquatic life or water fowl;
- B. Of an oily, greasy, or surface-active nature, and of other floating debris, in amounts that will form noticeable accumulations of scum, foam or shoen;
- C. In amounts that will alter the natural color or odor of the receiving water to such degree as to create a nuisance;
- D. In amounts that either singly or in combination with other substances are toxic to human, animal, or aquatic life;
- E. In amounts that are conducive to the growth of aquatic weeds or algae to the extent that such growths become inimical to more desirable forms of aquatic life, or create conditions that are unsightly, or constitute a nuisance in any other fashion;
- F. In amounts that will impair designated instream or downstream water uses.

3. FACILITY OPERATION AND QUALITY CONTROL

All wastewater treatment works shall be operated in a manner consistent with the following:

- A. At all times, the permittee shall maintain in good working order and operate as efficiently as possible all treatment or control facilities or systems installed or used by the permittee necessary to achieve compliance with the terms and conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when necessary to achieve compliance with conditions of the permit.
- B. The permittee shall effectively monitor the operation and efficiency of treatment and control facilities and the quantity and quality of the treated discharge.
- C. Maintenance of wastewater treatment works that results in degradation of effluent quality shall be scheduled during non-critical water quality periods and shall be carried out in a manner approved by the Ohio EPA as specified in the Paragraph in this PART III entitled, "UNAUTHORIZED DISCHARGES".

4. REPORTING

- A. Monitoring data required by this permit shall be reported on the Ohio EPA report form (4500) on

a monthly basis. Individual reports for each sampling station for each month are to be received no later than the 15th day of the next month. The original plus first copy of the report form must be signed and mailed to:

OHIO EPA
RECORDS CONTRDL GROUP
POST OFFICE BOX 1849
COLUMBUS, OHIO 43266-0558

B. If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit, using approved analytical methods as specified below, the results of such monitoring shall be included in the calculation and reporting of the values required in the reports specified above.

C. Analyses of pollutants not required by this permit, except as noted in the preceding paragraph, shall not be reported on Ohio EPA report form (4500) but records shall be retained as specified in the paragraph entitled "RECORDS RETENTION".

5. SAMPLING AND ANALYTICAL METHODS

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored flow. Test procedures for the analysis of pollutants shall conform to regulation 40 CFR 136, "Test Procedures For The Analysis of Pollutants". The permittee shall periodically calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to insure accuracy of measurements.

6. RECORDING OF RESULTS

For each measurement or sample taken pursuant to the requirements of this permit, the permittee shall record the following information:

- A. The exact place, date, and time of sampling;
- B. The person(s) who performed the sampling or measurements;
- C. The date and time the analyses were performed on these samples;
- D. The person(s) who performed the analyses;
- E. The analytical techniques or methods used; and
- F. The results of all analyses and measurements

7. RECORDS RETENTION

The permittee shall retain all of the following records for the wastewater treatment works for a minimum of three years, including:

- A. All sampling and analytical records (including internal sampling data not reported);
- B. All original recordings for any continuous monitoring instrumentation;
- C. All instrumentation, calibration and maintenance records; and
- D. All plant operation and maintenance records.
- E. All reports required by this permit.
- F. Records of all data used to complete the application for this permit for a period of at least three years from the date of the sample, measurement, report or application.

These periods will be extended during the course of any unresolved litigation, or when so requested by the Regional Administrator or the Ohio EPA. The three year period for retention of records shall start from the date of sample, measurement, report or application.

8. AVAILABILITY OF REPORTS

Except for data determined by the Ohio EPA to be entitled confidential status, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the appropriate District Offices of the Ohio EPA. Both the Clean Water Act and Section 6111.05 Ohio Revised Code state that effluent data and receiving water quality data shall not be

considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in the Ohio Revised Code Section 6111.99.

9. NOTIFY TO PROVIDE INFORMATION

The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.

10. RIGHT OF ENTRY

The permittee shall allow authorized representatives of the Ohio EPA:

- A. To enter upon the permittee's premises where an effluent source is located or in which any records are required to be kept under the terms and conditions of this permit.
- B. To have access to and copy at reasonable times any records required to be kept under the terms and conditions of this permit; and to inspect any monitoring equipment required in this permit.
- C. To monitor at reasonable times the effluent or inspect any monitoring method required in this permit. "Reasonable times" for purposes of paragraph 10(c) includes 24-hour periods necessary for the purpose of monitoring over a 24-hour period.
- D. To enter upon the permittee's premises to inspect at reasonable times any collection, treatment, pollution management, or discharge facilities required under the permit.

11. UNAUTHORIZED DISCHARGES

A. Unless specifically authorized in Part I and/or Part II of this permit, deliberate by-passing or diverting of wastewater from the treatment works is prohibited except when necessary:

1. To prevent loss of life, personal injury or severe property damage;
2. To prevent damage to treatment works or processes; or
3. To allow essential maintenance to be performed according to a schedule approved in writing by the Ohio EPA District Office.

B. While typical unauthorized discharges are those resulting from pipeline breaks, equipment malfunctions or failures, operator errors, accidents, process interruptions, or power failures, all unauthorized discharges shall be reported according to the following procedure:

1. Report within one hour of discovery to Ohio EPA by calling (toll free) 1-800-282-9378.
2. For these telephone reports the following information must be included:
 - a. the times at which the discharge occurred, and was discovered;
 - b. the approximate amount and the characteristics of the discharge;
 - c. the stream(s) affected by the discharge;
 - d. the circumstances which created the discharge;
 - e. the names and telephone numbers of the persons who have knowledge of these circumstances;
 - f. what remedial steps are being taken;
 - g. the names and telephone numbers of the persons responsible for such remedial steps.
3. These reports shall be confirmed in writing within five days of the discharge and submitted to the appropriate Ohio EPA District Office. This report should include the information required under "NONCOMPLIANCE NOTIFICATION".

C. Minor violations of the effluent limitations in Part I of this permit do not need to be reported under this paragraph.

12. NONCOMPLIANCE NOTIFICATION

A. Effluent Limitations:

If the permittee is unable to meet any effluent limitations specified in this permit, the permittee shall submit a written report to the appropriate Ohio EPA District Office within five days of becoming aware of the conditions. The report shall include the following:

1. The limitation(s) which has been violated;
2. The extent of the violation(s);
3. The cause of the violation(s);

4. The period of the violation(s) including exact dates and times;
5. If uncorrected, the anticipated time the violation(s) is expected to continue; and
6. Steps being taken to reduce, eliminate and/or prevent recurrence of the violation(s).

B. Compliance Schedule Events:

If the permittee is unable to meet any date for achieving an event, as specified in the Schedule of Compliance, the permittee shall submit a written report to the appropriate District Office of the Ohio EPA within five days of becoming aware of such situation. The report shall include the following:

1. The compliance event which has been or will be violated;
2. The cause of the violation;
3. The remedial action being taken
4. The probable date by which compliance will occur; and
5. The probability of complying with subsequent and final events as scheduled.

13. RESERVED**14. ADVERSE IMPACT**

In the event of either an unauthorized discharge or a violation of effluent limitations, the permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment. This may include accelerated or additional monitoring to determine the extent of the impact of unauthorized discharge or the violation of limitations. If such additional monitoring is performed, the data collected shall be included in the written report submitted to the appropriate Ohio EPA District Office.

15. AUTHORIZED DISCHARGES

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than, or at a level in excess of, that authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such a violations may result in the imposition of civil and/or criminal penalties as provided for in Section 309 of the Act, and Ohio Revised Code Sections 6111.09 and 6111.99

16. DISCHARGE CHANGES

The following changes must be reported to the appropriate Ohio EPA District Office as soon as practicable.

- A. For all treatment works, any significant change in character of the discharge which the permittee knows or has reason to believe has occurred or will occur which would constitute cause for modification or revocation and reissuance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Notification of permit changes or anticipated noncompliance does not stay any permit condition.

B. For publicly owned treatment works:

1. Any proposed plant modification, addition and/or expansion that will change the capacity or efficiency of the plant;
2. The addition of any new significant industrial discharge; and
3. Changes in the quantity or quality of the wastes from existing tributary industrial discharges which will result in significant new or increased discharges of pollutants.

- C. For non-publicly owned treatment works, any proposed facility expansions, production increases, or process modifications, which will result in new, different, or increased discharges of pollutants.

Following this notice, modifications to the permit may be made to reflect any necessary changes in permit conditions, including any necessary effluent limitations for any pollutants not identified and limited herein. A determination will also be made as to whether a National Environmental Policy Act (NEPA) review will be required. Sections 6111.44 and 6111.45, Ohio Revised Code require that plans for treatment works or improvements to such works be approved by the Director of the Ohio EPA prior to initiation of construction.

- D. In accordance with 40 CFR 122.42(a), all existing manufacturing, commercial mining, or silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

1. That any activity has occurred or will occur which would result in the discharge of any toxic pollutant not limited in the permit if that discharge exceeds the highest of the "notification levels" specified in Sections 122.42(a)(1)(i) through 122.42(a)(1)(iv).
2. That they have begun or are expected to begin to use or manufacture as an intermediate or final product or by-product any toxic pollutant which was not reported in the permit application under 40 CFR 122.21(b)(9).

17. TOXIC POLLUTANTS

The permittee shall comply with effluent standards or prohibitions established under Section 307 (a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement. Following establishment of such standards or prohibitions, the Director shall modify this permit and so notify the permittee.

18. PERMIT MODIFICATION OR REVOCATION

- A. After notice and opportunity for a hearing, this permit may be modified or revoked, by the Ohio EPA, in whole or in part during its term for cause including, but not limited to, the following:
 1. violation of any terms or conditions of this permit;
 2. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 3. a change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge.
- B. Pursuant to rule 3745-33-09, Ohio Administrative Code the permittee may at any time apply to the Ohio EPA for modification of any part of this permit. The filing of a request by the permittee for a permit modification or revocation does not stay any permit condition. The application for modification should be received by the appropriate Ohio EPA District Office at least ninety days before the date on which it is desired that the modification become effective. The application shall be made only on forms approved by the Ohio EPA.

19. TRANSFER OF OWNERSHIP OR CONTROL

This permit cannot be transferred or assigned nor shall a new owner or successor be authorized to discharge from this facility, until the following requirements are met:

- A. The permittee shall notify the succeeding owner or successor of the existence of this permit by a letter, a copy of which shall be forwarded to the appropriate Ohio EPA District Office. The copy of that letter will serve as the permittee's notice to the Director of the proposed transfer. The copy of that letter shall be received by the appropriate Ohio EPA District Office sixty days prior to the proposed date of transfer;
- B. A written agreement containing a specific date for transfer of permit responsibility and coverage between the current and new permittees (including acknowledgment that the existing permittee is liable for violations up to that date, and that the new permittee is liable for violations from that date on) shall be submitted to the appropriate Ohio EPA District Office within sixty days after receipt by the District Office of the copy of the letter from the permittee to the succeeding owner;
- C. The Director does not exercise his right within thirty days after receipt of the written agreement to notify the current permittee and the new permittee of his or her intent to modify or revoke the permit and to require that a new application be filed; and
- D. The new owner or successor receives written confirmation and approval of the transfer from the Director of the Ohio EPA.

20. OIL AND HAZARDOUS SUBSTANCE LIABILITY

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

21. SOLIDS DISPOSAL

Collected screenings, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes into waters of the State.

22. CONSTRUCTION AFFECTING NAVIGABLE WATERS

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any navigable waters.

23. CIVIL AND CRIMINAL LIABILITY

Except as exempted in the permit conditions on UNAUTHORIZED DISCHARGES or NPDES, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

24. STATE LAWS AND REGULATIONS

Nothing in this permit shall be construed to preclude the institution of any legal action nor relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable state law or regulation under authority preserved by Section 510 of the Act.

25. PROPERTY RIGHTS

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.

26. NPDES

The provisions of 40 CFR Section 122.41(a), dated September 26, 1984 relating to "Upset," are specifically incorporated herein by reference in their entirety. For definition of "upset", see Part 1, item 1.

27. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

28. SIGNATORY REQUIREMENTS

All applications submitted to the Director shall be signed and certified in accordance with the requirements of OAC 2745-22-03.

All reports submitted to the Director shall be signed and certified in accordance with the requirements of 40 CFR Section 122.22 (b)(c), dated September 26, 1984.

29. OTHER INFORMATION

- A. Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Director, it shall promptly submit such facts or information.
- B. OAC 6111.09 provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
- C. OAC 6111.09, states that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction, be punished by a fine of not more than \$25,000 per violation.
- D. OAC 6111.09 provides that any person who violates Sections 6111.04, 6111.042, 6111.05, or division (A) of Section 6111.07 of the Revised Code shall be fined not more than twenty-five thousand dollars or imprisoned not more than one year, or both.

30. NEED TO HALT OR REDUCE ACTIVITY

40 CFR 122.41(c), dated September 1, 1983, states that it shall not be a defense for permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with conditions of this permit.